



FORM PTO-1083

Docket No.: 5005.1064

Date: March 24, 2006

Mail Stop: APPEAL BRIEF - PATENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: **Werner KNEBEL et al.**  
Serial No.: 10/713,887  
Filed: 11/14/2003  
For: **SCANNING MICROSCOPE**

Sir:

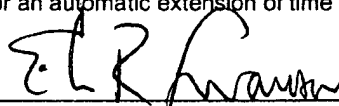
Transmitted herewith is a **Appellant's Brief under 37 C.F.R. § 41.37 (11 pages total) including Appendix A (3 pages), Appendix B (1 page), and Appendix C (1 page)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

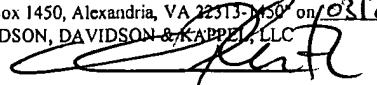
FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20	=	0	x \$ 25	\$		x \$ 50	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$100	\$		x \$200	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$180	\$		+ \$360	\$
TOTAL:				\$		OR	TOTAL:	\$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☒ Petition for extension under 37 C.F.R. 1.136  
☐ Other:
- ☒ Check(s) in the amount of \$ 620.00 is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☒ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: **Filing a brief in support of an appeal under 37 C.F.R. 41.20(b)(2)**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
Erik R. Swanson, Reg. No. 40,833  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
Tel: (212) 736-1940  
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on 03/24/06.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:   
Oliver Platz